UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,676	02/06/2002	Nobumitsu Takaoka	500.41163X00	7078

20457	7590	07/14/2005	EXAMINER	
			VU, KIEU D.	

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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 April 2005_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _04/27/05_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1. This Office Action is in response to the Amendment filed on 04-27-05.

2. Claims 1-8 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tezuka et al ("Tezuka", USP 5764911) and Tserng (USP 6570608).

Regarding claims 1 and 5, Tezuka reaches a computer system, comprising: a plurality of computers (A, B, C, D); a plurality of storage means (file servers FS1); a plurality of connection means (network cables) for connecting said computers with said storage means; and management means (121,221) for managing states of connection between said computers (A, B, C, D) and said storage means (file server FS1) (see figure 8); wherein said management means comprises

a correspondence table which indicates relations between a plurality of symbols each indicating one of said computers, said plurality of storage means and said plurality of connection means, and display coordinate values of a display screen, (Fig. 24A) (col 4, lines 34-50)

a path table which indicates relations between said symbols and connections among said computers, said plurality of storage means and said plurality of connection means (Fig. 24B), (col 4, lines 34-50)

connection state display means (1211, 2211; see also col. 8, lines 21-22) for displaying on display screen a state of connections (direct connection between computer D and file server FS1 within the same department 4's network) in said computer system;

a zone table which indicates relations between plurality of zones and said symbols indicating said computers, said plurality of storage means and said plurality of connection means (Fig. 24C, Fig. 25)

and input means (mouse) for inputting a user's request for creating new connections among said symbols on said display screen and changing the connection (col. 8, lines 21-22); wherein when said user's request is invalidated if said user's request includes an instruction for creating a connection between symbols of computers, storage means and said plurality of connection means not included in said zone table (inherent);

said connection state display means comprises means for displaying (1211, 2211) computers, said storage means, and the connection state (direct connection between computer D and file server FS1 within the same department 4's network) in a graphic image and means for creating (121) by use of said input means (mouse) an area displaying a set including computers and said storage means (image showing computer D now in department 5's network); and

Tezuka further teach the detection of computer D's movement from department 4's network to department 5's network and means for setting (1212, 1213, 1214, 2212, 2213, 2214, 3212, 3213, 3214) said storage means and said connection means according to a result of the detection (col. 8, lines 23-56).

Tezuka fails to teach using comparing means for comparing a graphic image display position of computer D (coordinate values) (while still in department 4's network) with a graphic image display position of computer D (now in department 5's network) to detect of the movement of computer D. However, such use of comparing means for detecting position change is taught by Tserng. Specifically, Tserng teaches a system which efficiently detects a car movement by comparing the current position of the centroid of the car object with the position of the centroid of the stored car object (see col. 10, lines 36-41). It would have been obvious to one of ordinary skill in the pertinent art having the teaching of Tezuka and Tserng before him at the time the invention was made to apply Tserng's teaching of using means for comparing image positions to detect movement in Tezuka's movement detection system with the motivation being to enhance the efficiency and reliability of the movement detection system of Tezuka.

Regarding claim 2, in Tezuka's teaching, the area created by said input means of said connection state display means in said management means overlap with other areas (the image showing the entire network including computer D still in department 4's network and the image showing the entire network including computer D now in department 5's network overlaps each other completely); and said display position comparing means sets, when the area overlaps with other areas and the overlapped

areas contain a graphic image of said computer or said storage means, said storage

means and said connection means according to a positional relationship between each

of the areas and the graphic image (col. 8, lines 41-56).

Regarding claim 3, in Tezuka's system, the graphic image representing

computers and storage means displayed on said connection state display means in said

management means can be moved by said input means (col. 8, lines 21-22); said

display position comparing means compares, after the graphic image is moved by use

of said input means, a positional relationship between an area and the graphic image

and sets said storage means and said connection means (1212, 1213, 1214, 2212,

2213, 2214, 3212, 3213, 3214) according to a result of the comparison (col. 8, lines 23-

63).

Regarding claim 4, in Tezuka's system, said setting means (1212, 1213, 1214,

2212, 2213, 2214, 3212, 3213, 3214) also sets computers according to a result of the

comparison by said display position comparing means (col. 8, lines 23-63).

Regarding claim 6, Tezuka further teaches the steps of changing a position and a

size of an area on said management screen (when computer D moves, the position and

size of the area covering computer D change accordingly); and the step of changing a

position of each of the graphic images respectively representing computers and storage

means on said management screen (the image position of computer D has to change).

Tezuka differs from the claim in that Tezuka does not explicitly teach the changes of the

position of the storage means (FS1). However, it is clear that Tezuka's goal is to provide

a system that can automatically reconfigure to adapt to changes in directory services

and objects (objects includes FS1) (see col. 2, lines 26-44). Thus, it would have been obvious to one skilled in the art that to provide position change in FS1 in Tezuka in view of Tserng's system with the motivation being to provide changes in company organization as needed.

Regarding claim 7, Tezuka further comprises the step, when a position and a size of an area on said management screen is changed or when a position of each of the graphic images respectively representing computers and storage means on said management screen is changed, of determining for each area whether or not the computers and the storage means have valid connectivity therebetween in the area (when computer D is moved out of department 4's network, computer D is no longer connected directly to storage device FS1 via department 4's network).

Regarding claim 8, Tezuka further teaches the step of setting connection for the computers according to a result of the comparison of said positional information comparing step (col. 8, lines 23-63).

5.   Applicant's arguments filed 04/27/05 have been fully considered but they are not persuasive.

In response to Applicant's argument that "Tezuka fails to teach or suggest management means having a correspondence table ...path table...zone table....," Applicant's attention is directed to tables 24 A-C and table 25 (also see col 4, lines 34-52).

In response to Applicant's argument that "Tezuka fails to teach or suggest ....inputting a user's request for creating a new connection....changing the

connections......," Applicant's attention is directed to column 8, lines 17-23 (drag & drop

operation to move user D).

In response to Applicant's argument that "Tezuka fails to teach or suggest

....instruction for creating a connection.....not included in the zone table....user's

request is invalidated," it is noted that this teaching is inherent in Tezuka's reference

since the moving operation (to move user or computer (A, B, C, D)) has to be performed

between departments.

In response to Applicant's argument that "Tezuka fails to teach or suggest

....comparing means for comparing ......graphic image display position" it is noted that

secondary reference Tserng teaches this limitation (see the rejection of claims 1 and 5

above).

In response to Applicant's arguments regarding Tserng reference, it is noted that

these arguments attack Tserng reference individually while Tserng reference is used in

combination with Tezuka reference for the rejections. See *In re Keller*, 642 F.2d 413,

208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed.

Cir. 1986).

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:
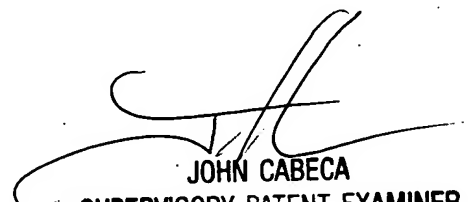
571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

Patent Examiner

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100